

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

FILED

AUG 30 2013

CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF ILLINOIS  
EAST ST. LOUIS OFFICE

Alireza Bakhtiari  
Movant,

v.

J. Walton  
Respondent

M. Winklmeier  
Respondent

M. Bagwell  
Respondent

D. Szoke  
Respondent

L. Duncan  
Respondent

J. Bagwell  
Respondent

R. Strauss  
Respondent

United States of America  
Respondent

Cause No. 13-906-JPG

PETITION FOR EMERGENCY INJUNCTION  
BY PERSON IN FEDERAL CUSTODY

1. Petitioner Plaintiff in pro se, Alireza Bakhtiari ("Bakhtiari") is an inmate in USP Marion, serving a 51 months sentence.
2. Bakhtiari was sentenced to 51 months in custody by the United States District Court of Eastern Missouri-St. Louis on November 19 2012 after pleading guilty to one count of "Obstruction of official Proceeding" under 18 USC 1512(c)(2).
3. Bakhtiari was transferred to USP-Marion in January of 2013.
4. Respondent United States of America ("USA") is the federal entity respondent.

5. Respondent J. Walton ("Walton") is the warden of USP-Marion and has been at all relevant times.

6. Respondent M. Winklmeier ("Winklmeier") is and has been at all relevant times the Health Services Administrator of USP-Marion.

7. Respondent M. Bagwell ("M. Bagwell") is and has been the Assistant health services administrator of USP-Marion at all relevant times.

8. Respondent D. Szoke ("Szoke") M.D. was the **clinical** director of Health Services and superintendant physician at USP-Marion until May 2013.

9. Respondent L. **Duncan** ("Duncan") is and has been a physician's assistant ("PA") at all relevant times at USP-Marion.

10. Respondent J. Bagwell ("J. Bagwell") is and has been at all relevant times the Computer Services Manager at USP-Marion.

11. Respondent R. Strauss ("Strauss") is and has been inmate case manager at USP-Marion, at all relevant times.

12. **Jurisdiction and Venue**

Plaintiff can seek releif in the form of injunction from the US District Court of Southern District of Illinois as provided by 28 USC 2241, See Valona v. USA 138 F .3d 693 (7.th Cir. 1998), See also Atehortua v. USA Kindt 951 F .2d 126,129 (7th Cir. 1991)

13. USP-Marion is geographically located within the venue of this Honorable Court.

**Nature of releif requested**

14. This petition, at this stage, seeks no monetary or **compensatory** damages and it merely seeks releif in the form of injunction directing enjoining and binding respondents to the duties of care they owe plaintiff under the constitution, BOP policies and program statements

and the laws of the State of Illinois.

Facts Common to All Counts

**Cardiac Event**

Bakhtiari is an Iranian national who was convicted of "obstructing an official proceeding" under 18 USC 1512(c)(2) in the District Court of Eastern Missouri-St. Louis. He began serving his sentence on Nov-19, 2012 and was transferred to USP Marion on January 2013. At the time of arrival Bakhtiari suffered from chest pain and tension extended to his jaw and left arm. His blood work showed alarmingly high cholestrol. About these issues Bakhtiari spoke four times in January 2013 with PA Duncan and Dr. Szoke. Szoke was notified that Bakhtiari expereinced chest pain and unusual heart beat, both of which prevented him from sleeping. Bakhtiari's cries were ignored. In February of 2013 Bakhtiari submitted three sick call slips. Resp ondents ignored all. After three ignored sick-calls Bakhtiari stopped Szoke in the hall way and begged for a visit, Szoke agreed to see Bakhtiari the next day. The next morning Szoke saw Bakhtiari and checked his file and his blood work. Szoke proceeded to say "You is fine Son! you don't need nothin!" In Bakhtiari's inquiry about alarmingly high cholestrol Szoke said "I don't give a damn about them thangs!" After this visit Bakhtiari met with PA Duncan and requested pain medication so he could sleep. Duncan denied pain medication but directed Bakhtiari to diet and excercise. Bakhtiari informed Duncan that he is 37 years old and diet and excercise have been an integrated part of his lifestyle for ever. Duncan ignored these facts and still reiterated "diet and excercise" remedy. Bakhtiasri continued living with pain in chest extended to jaw and left arm.

In March 2013, Bakhtiari stopped Szoke in the hallway again and pled with him about his pain and condition. Szoke responded: "if you cann't do the time don't do the crime Son!".

Bakhtiari continued serving time under the extenuated pain during the months of January, February, March, April, May, June, July of 2013. In July of 2013 Bakhtiari made several new attempts to see a physician, after several denials he was granted a visit with PA Duncan again, this visit took place on July 25, 2013. Duncan informed Bakhtiari that Szoke had been terminated and they were in transition process to new physician(s). Bakhtiari was told that it would be while untill he can see the replacement of Szoke. PA Duncan opined that Bakhtiari could be possibly developping Angina Pectoris (Bakhtiari was told this is ~~some~~ type of cardiac disease). Bakhtiari received no medication or treatmment still.

In the month of August the pain intensified, Bakhtiari has no history of obessity and is still not ~~obesse~~. Months of diet and exercise were still futile in reducing his pain. On August 9, 2013 Bakhtiari filed a BP8 greivance (initial step in BOP policies for official grievance). Baskhtiari emailed the greivance to Winklmeier and M. Bagwell. He aslo delivered the grievance on paper to Winklmeier and Counselor Pitts of his unit. In the month of August Bakhtiari spoke with Walton, Winklmeier and M. Bagwell every week during the managerial's "open door" hours in the dining hall over lunch or dinner. He repeatedly complained of the intensified pain, and possible surge of Angina Pectoris. He was told by respondents to wait until his BP8 is adjudicated.

On August 21, 2013 Bakhtiari submitted a successive urgent BP8 greivance, via email and paper based, re-asserting the same request.

Eventually on August 26 , 2013 on or about 8 pm Bakhtiari expereinced a heart failure in his cell. He was transferred to the Health Services of USP-Marion and attended to by the PA on call. PA on duty confirmed that Bakhtiari had expereinced a heart attack or similar cardiac event. See Exhibit A:correspondence

#### **Security Designation and Custody**

Bakhtiari has no criminal history except the conviction at issue for which he is currently imprisoned. Bakhtiari crime of obstructing a proceeding stemmed from a libel tort litigation in the District Court of Eastern Missouri-St. Louis. Bakhtiari's background is merely white-collar and non-violent. He has had a clear and abiding conduct in USP-Marion and he teaches GED classes and Business classes while incarcerated. His security point score is six (+6). This score is calculated by BOP according to Program 'Statement 5100 ("PS 5100"), which is the policy for assessment of Security Designation and Custody Classification. According to PS 5100, Bakhtiari is a minimum security inmate to be housed in a camp. Hon. Judge Webber of Eastern District Missouri, who sentenced him, also ordered BOP to house Bakhtiari in a camp. Upon arrival at USP-Marion Bakhtiari inquired to Walton and Strauss as to why in his case PS5100, his point score and Judge Webber's order were all ignored. Walton informed Bakhtiari that his higher officials BOP had placed a discretionary variable upon him to be housed in a medium to high security facility, in spite of his minimum point score. Therefore Bakhtiari is housed with inmates of security point scores of 20 and above. Bakhtiari asked Strauss and Walton for a copy of form EMS-409. This form describes the reasoning and nature of the alleged discretionary variable. Walton and Strauss informed Bakhtiari that

he is not entitled to see the EMS-409. PS 5100 dissagrees.

Bakhtiari's several meetings with Walton and Strauss in this regard have been futile.

COUNT I\_EMERGENCY INJUNCTION

PS 6005, PS 6031, PS 6270

Walton, Szoke, Winklmeier, M. Bagwell, Duncan, USA

A person in federal custody can seek injunction to challenge the execution of his sentence under 28 USC 2241, See Valona at 693, see also Aterhortua at 129. The injuries which plaintiff has suffered and is being further subject to are irreparable harms, as defined by Roland Machinery Co. v. Dresser Industries Inc. 749 F .2d 380, 386 (7th Cir. 1984).

WHEREFORE, Plaintiff seeks an emmergency injunction, directing respondents to implement and provide the care promised and specified in the above-mentioned program statements of BOP, and for any and all other relief the Court deems just and proper under circumstance.

COUNT II EMERGENCY INJUNCTION

18 USC 4042

Walton, Szoke, Winklmeier, M. Bagwell, Duncan, USA

Persuant to 18 USC 4042 respondents owe duty of care to Plaintiff. See USA v. Muniz 374 U.S. 150, 164-65 (1963).

WHEREFORE, Plaintiff seeks an emmergency injunction directing respondents to implement and provide the care the owe plaintiff per US Constitution and Supreme Court's Order, and for any and all other releif the Court deems just and proper under the circumstance.



COUNT III, EMERGENCY INJUNCTION  
PS 5100  
Walton, Strauss, USA

Plaintiff can utilise 28 USC 2241 to seek injunction to challenge the execution of his sentence and the facility used to do so, See Falcon v. BOP 52 F .3d 137-139 (7th Cir. 1995), See also USA v. Harris 12 F .3d 735-736 (7th Cir. 1994).

Respondents are in violation of the constitution and their own explicit policies by housing plaintiff in a medium to high security even though he is a minimum security inmate. Their arrogance in ignoring PS 5100 and Judge Webber's Order should not be tolerated by this Honorable Court.

WHEREFORE, Plaintiff respectfully prays for an emergency injunction enjoining respondents to implement PS 5100 and house plaintiff in a camp.

COUNT VI, EMERGENCY ORDER  
PS 5100  
Walton, Strauss, USA

Plaintiff, alternatively, prays for an emergency injunction directing respondents to house Plaintiff in a low-security facility in vicinity of his home town of St. Louis, and for any and all other relief the Court deems just and proper under the circumstance.

COUNT V, EMERGENCY INJUNCTION  
PS 5100, PS 6005  
Walton, Strauss, Winklmeier, USA

Plaintiff, alternatively, prays for an emergency injunction directing respondents to transfer Bakhtiari to a BOP facility which is equipped to care for cardiac damages such as the ones respondents have caused Plaintiff by their own deliberate indifference, and for any and all other relief the Court deems just and proper under the circumstance.

COUNT VI, EMMERGENCY INJUNCTION  
8th Amendment, Cruel and Unusual Punishment  
Walton, Szoke, Winklmeier, M. Bagwell, Duncan, USA

Deliberate indefference to serious medical needs of prisoners may constitute cruel and unusual punishment under the 8th Amendment, See Estelle v. Gamble 429 U.S. 97,104,97 S. Ct. 285, 50 L. Ed. 2d 251 (1976).

WHEREFORE, Plaintiff prays for an emmergency injunction by this Honorable Court, directing respondents to deliver the medical care plaintiff is constitutionally owed unsder the 8th Amendment and for any and all other releif the Court deems just and proper under the circumstance.

COUNT VII, EMMERGENCY INJUNCTION  
8th Amendment, Condition of Confinement  
Walton, Strauss, Winkleier, USA

Rhodes v. Chapman, 452 U.S. 337, 346, 101 S. Ct. 2392, 69 L. Ed 2d 59 (1981)

James v. Milwaukee County 956 F .2d 696,699 (7th Cir. 1992)

When basic medical needs are ignored,inhumane conditions are established for a place of confinement per 8th Amendment, See Rhodes at 346-347, see also James at 696 and 699.

WHEREFORE, Plaintiff prays that this Honorable Court direct respondents to transfer plaintiff to a heart facility in BOP to remedy and redress the damages caused by their own deliberate indefference, and for any and all other releif the Court deems proper under the circumstance.

COUNT VIII, EMMERGENCY INJUNCTION  
Preservation of Evidence  
Walton, J. Bagwell, USA

This circuit allows preliminary injunction when the four pronged test (merits, remedy, injury, public interest) is satisfied, See Pelfresne v. Village of Williams Bay 865 F .2d 877,883 (7th



Cir. 1989). Respondents have a duty to preserve all relevant evidence for this cause of action and for others to come, *Task-Motron v. Motel 6*, 534 F .3d at 681 (7th Cir. 2008).

In USP-Marion the officers regularly search the housing cells to extract and remove illegitimate items such as cigarette, knives, druges and alcohol and others. Two of the officers in two separate times (Officer Blair and Officer Ridlen ) visited Bakhtiari's cell (cell 230 of the X-unit at USP Marion) and rampaged the legal files and removed trial related evidence, such as documents, correspondence and copies of cop-out sheets. These items are evidence of respondents' deliberatre indefference and are not illegitimate or as the officers called them "counter-band". Respondents are abusing their status to prejudice this injured plaintiff in seeking releif. The evidence relevant is electronic, audio, vedio and paper based and in preservation of evidence the term evidence should be construed in the broadest sense possible.

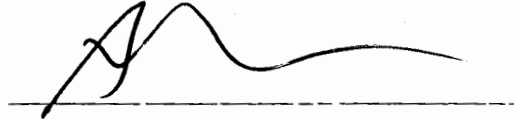
WHEREFORE, Plaintiff respectfully prays for an emmergency injunction, enjoining respondents to preserve any and all electronic and paper and audio/visual evidence relevant to his counts asserted herein. Plaintiff prays for this Court to direct respondents away from abusing their "muscle power" as the custodians over plaintiff to spoliage evidence. Plaintiff should not be robbed of his gathered evidence in such manner.

Verification

I, the undersigned, Alireza Bakhtiari, am the pro se plaintiff in this cause of action, am of legal age and sound mind and have direct personal knowledge of the facts asserted herein. I know them to be true and accurate to the best of my memory, knowledge and beleif.

Respectfully Submitted,

On this August 28 of 2013

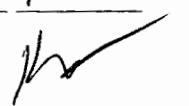


Alireza Bakhtiari  
39383-044  
USP Marion  
PO Box 1000  
Marion IL 62959

Appearing in Pro SE

NOTARY

SWORN before me on this Aug 28, 2013 in USP Marion,  
Williamson County of Illinois. My Commission expires on

4-17-2017  




Petition for Emergency Signature

TRULINCS 39383044 - BAKHTIARI, ALIEZA - Unit: MAR-X-A

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FROM: Health Services  
TO: 39383044  
SUBJECT: RE:\*\*\*Inmate to Staff Message\*\*\*  
DATE: 07/08/2013 11:32:01 AM

check at lunch time pill line on Tuesday, you have received a refill to last until your chronic care date

>>> ~^!"BAKHTIARI, ~^!ALIEZA" <39383044@inmatemessage.com> 7/5/2013 11:21 AM >>>

To: Urgent  
Inmate Work Assignment: Education PM

Dear Sir/Madam,

My refills for Prozac and Bursperone do not come up on the computer. I have already, in the past week, signed for sick call twice about this issue and still no sign. Please advise further, I need my medicine ASAP.

Bakhtiari  
39383-044

TRULINCS 39383044 - BAKHTIARI, ALIEZA - Unit: MAR-X-A

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FROM: 39383044

TO: Health Services

SUBJECT: \*\*\*Request to Staff\*\*\* BAKHTIARI, ALIEZA, Reg# 39383044, MAR-X-A

DATE: 07/27/2013 07:24:03 PM

To: Urgent

Inmate Work Assignment: Education PM

Sir or Madam,

Your lack of concern for my medication needs is appalling; I should not have to email or write every single time to receive my prescription medicine which is vital to me. In this regard and others, you have repeatedly ignored my written requests (cop-out sheets or emails) about my medication issues. As of today, still my refills are not available on the network and I am out of medicine.

After being rejected three times from the health services in the past week, finally I secured a meeting with one of your staff who assured me that my medicine refills would be available. Alas! still no avail. One would hope that your office recognizes the urgency of life and death the term "Health Services" carries.

Alireza Bakhtiari  
39383-044

TRULINCS 39383044 - BAKHTIARI, ALIEZA - Unit: MAR-X-A

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FROM: 39383044

TO: Warden

SUBJECT: \*\*\*Request to Staff\*\*\* BAKHTIARI, ALIEZA, Reg# 39383044, MAR-X-A

DATE: 08/02/2013 01:07:58 PM

To: Racial Prejudice - Abusive conduct- Ms. Strauss

Inmate Work Assignment: Education PM

Dear Mr. Walton,

I was convicted of "obstruction of an official proceeding" under 18 USC 1512(c)(2) and was sentenced to 51 months in BOP custody. The sentence that the district judge meted out did not include verbal, physical and emotional abuse in it. Incarceration is the extent of ordered punishment and not beyond that. Since I have been here in Marion (Jan-2013), so many times your staff have referred to me and other inmates as "fucking chomo" rather than "Sir" or "you" or "inmate". Surprisingly, I encounter more professional conduct from the "fucking chomo's" surrounding me, than your staff members. I came to prison expecting to be surrounded by thugs. But unfortunately, the only thugs I have seen wear blue BOP T-shirts and walk around with keys and radio on their hip.

Today, Ms. Strauss called me into her office. She barraged me with verbal abuse and insults, uttered things about filed BP8's and then dismissed me from her office. She did not allow any input or explanation from me, not a word. It was "come in!, hear the insults!, get out!". This is the fourth time she has done so in the past few months. Ms. Strauss has never called any one "chomo" in front of me. But in prior meetings (not the one today) she has asked me the question "Do you understand any English? Can you speak English?"

If she refers to my PSR she can confirm that I carry a masters degree in chemistry from the University of Missouri and I have attended law school in Washington University of St. Louis. In fact I took upon my current infraction in the context of a convoluted litigation in federal court. She well knows that I speak English and she repeats such comments and questions in a derogatory and abusive approach. One would expect her to be professional, I have been so with her, as a matter of fact I have intentionally made my requests in writing to her so there would not be misunderstanding and the record would be clear.

A few months ago I was told by Ms. Strauss that since my security point is Eight (+8) I belong to a camp or a low. She stated that she can and she would use her discretion to lift the alleged management variable. I had a "stand-up count" interference shot which was not found guilty for and Mr. Pitts expunged it from the record (or said he has). Having said so there is no hindrance on the way of my transfer to a camp or a low. She has not been and is not responsive to this inquiry.

Mr. Pitts and Ms. Strauss are expected to be professional enough to adhere to their promises (lift of management variable by discretion and expunging of the shot) and allow this transfer to go through.

Months ago, I have filed two BP8's, one with Mr. Pitts and one with Ms. Strauss, regardless of the topic and content, the BP's have not been addressed or responded to yet.

It might be futile, but I still keep faith that we can resolve such issues informally without the need for an injunction from the district court. After all, inmates (or you might know them only as "chomo's") are being transferred out every week. This seems like a simple dispute.

Thank you for your attention.

Alireza Bakhtiari  
39383-044



TRULINCS 39383044 - BAKHTIARI, ALIEZA - Unit: MAR-X-A

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FROM: Health Services  
TO: 39383044  
SUBJECT: RE:\*\*\*Inmate to Staff Message\*\*\*  
DATE: 08/08/2013 06:27:02 AM

You are encouraged to discuss your issue with the Health Services Administrator during open house hours, Thursdays and Fridays at 7:30 am.

Review of your medical record indicates you were placed on callout for a sick call request on July 19, 2013 and you were a no-show. You were again placed on callout for a Chronic Care appointment on July 23, 2013 and you were a no-show. You were evaluated for your Chronic Care Clinic visit on July 25, 2013.

>>> ~^!"BAKHTIARI, ~^!"ALIEZA" <39383044@inmatemessage.com> 8/7/2013 11:11 AM >>>  
To: Urgent  
Inmate Work Assignment: Education PM

These are highly inaccurate assertions. I appeared on 7/19 and the inner door was locked, I was told to go back to my unit. As I explained to the officer, he reiterated by adding "you fucking chomo I told you go back to your unit, the damn door is locked!!!" Similar situation less the "fucking chomo" color occurred on 7/23.

Your department is notorious for losing sick call slips. At least five Inmates have come to me for litigation assistance, all are plaintiffs against your department. If you cruise their discovery materials, a common appearance is ignoring sick calls from inmates (or you may only know that as fucking chomo's).

Please provide me with help for my sleeping problems.

I was a patent and personal injury litigation consultant on the street. I deem this short stay a vacation from litigating. Please do not force me to refuge to the district court like many others in this institution. This can have a simple remedy.  
-----Health Services on 8/7/2013 7:37 AM wrote:

>

You were a no show for chronic care on 7/19 and 7/23. You were seen on 7/25 in chronic care at which time you had no complaints. I do not have any sick call slips from you

>>> ~^!"BAKHTIARI, ~^!"ALIEZA" <39383044@inmatemessage.com> 8/5/2013 2:36 PM >>>  
To: Urgent  
Inmate Work Assignment: Education PM

Sir or Madam,

I have visited sick-call on 7 AM twice and filled out the proper sheet and still no response from you about this: I cannot sleep, 3 hours a day at most. I need to see a PA or a doctor about this issue. Please find my two sick-call sheets/slips and respond. This is deteriorating my well-being.

Alireza Bakhtiari  
39383-044

TRULINCS 39383044 - BAKHTIARI, ALIEZA - Unit: MAR-X-A

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FROM: 39383044  
TO: Health Services  
SUBJECT: \*\*\*Request to Staff\*\*\* BAKHTIARI, ALIEZA, Reg# 39383044, MAR-X-A  
DATE: 08/15/2013 03:26:21 PM

To: URGENT HEALTH CARE NEED  
Inmate Work Assignment: Education PM

wow!!! you people must be great pretenders! I have filed numerous "Chronic Care Form 600" or "sick-call's" and you have not responded to any. You have a paper-based copy of my BP8, please respond to it.

Dr. Szoke called my cholestrol very high but not important. But now your song is changed!! I sure miss Szoke! at least he saw me once and he used to stop for me in the hallway and talk to me about the issues and pains. You people just ignore and ignore!

Please provide me with copies of Szoke's notes from our out-patient visits. I will send them to a doctor from outside.

Alireza Bakhtiari  
39383-044  
-----Health Services on 8/15/2013 1:07 PM wrote:

>

In response to your Inmate Request to Staff, a formal Administrative Remedy (BP8) must be initiated through your counselor/unit team staff.

Review of your medical record indicates you were evaluated by your Mid Level Provider on July 25, 2013 for your Chronic Care Clinic. You were counseled regarding diet and exercise to lower your cholesterol prior to beginning a medication regimen. Your current medications were renewed at that time.

You will be followed by the physician on a routine basis for your Chronic Care Clinic. If you have concerns that need to be addressed, you are encouraged to sign up for sick call so that you can be scheduled for an appointment with your provider.

>>> ~^!"BAKHTIARI, ~^!ALIEZA" <39383044@inmatemessage.com> 8/9/2013 11:17 AM >>>  
To: URGENT HEALTH CARE NEED  
Inmate Work Assignment: Education PM

Mr. Winklemier, Health Care Administrator:  
Ms. Bagwell, Health Care Admin Assistant:

This is an enclosure to a BP8 grievance request which I file with your office. Copies of this BP8 are filed with warden Walton, my own home office, The Offices of Yantra Litigation Services and The Law Offices of Marshall R. Hoekel esq.

I invoke 18 USC 4042, the Duty of Care Laws of the State of Illinois and the inmate health care program statements of BOP to compel you to care. Numerous times, I have brought to your attention in person, via cop-out sheets and sick call slips the following urgent concerns that I have:

- cardiovascular and cardiac health issues
- medication compatibility and interference
- I cannot sleep more than 3 or 4 hours per day, I need sleep medicine.

I am 37 years old and diet and exercise religiously every day. My life style has not affected or cured the above issues. In my visit with a PA I was told that I need to see a physician about these issues. My requests to see a physician are ignored by you. So far you have responded to my email correspondence by redundant denials.

You are to schedule an appointment with a physician for me as soon as possible.

Alireza Bakhtiari  
39383-044

TRULINCS 39383044 - BAKHTIARI, ALIEZA - Unit: MAR-X-A

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cc: Warden Walton

cc: Inmate's Home Office - St. Louis

cc: The Offices of Yantra Litigation Services - St. Louis

cc: The Law Offices of Marshall R. Hoekel - Webster Groves - Missouri

PREVIOUS EDITION IS USABLE  
AUTHORIZED FOR LOCAL REPRODUCTION

MEDICAL RECORD		CHRONOLOGICAL RECORD OF MEDICAL CARE	
DATE	SYMPTOMS, DIAGNOSIS, TREATMENT, TREATING ORGANIZATION (Sign each entry)		
<b>DATE/TIME:</b> (FECHA/HORA) July 19, 2013 7:00 AM	<b>INMATE REQUEST FOR TRIAGE SERVICES</b> (PETICIÓN DE PRESIDIARIO DE SERVICIOS AUXILIOS)		
	What is your chief complaint? <i>chest pain, pain on left arm to the jaw, can't sleep</i> (¿Cual es su queja principal?) <i>unusual heartbeat</i>		
	Length of chief complaint: Days (Dias) _____ Months (Meses) <u>7</u> Years _____ (Años) <i>seven</i>		
	Name (Nombre) <u>Aliveta Bakhtan</u> Reg # (Registro) <u>39383-044</u>		
<b>PAIN SCALE:</b> (Escala de Dolor)	(0= Little Pain, 10= Severe Pain) 0 1 2 3 4 5 6 <u>7</u> 8 9 10 (0= Poco Dolor, 10= Severo Dolor)		
<i>the officer here at 7AM told me to go away cut the door off like you fucking chamo!!!</i>	Current Medications: <i>Prozac, Busparone</i> (Medicaciones actuales)		
	Are you in any Chronic Care Clinics: <u>Y</u> (si) <u>N</u> (no) Signature <u>[Signature]</u> (¿Está usted en alguna clinica de cuidado crónica?) <span style="float: right;">FIRMA</span>		
*****DO NOT WRITE BELOW THIS LINE***** (NO ESCRIBA DEBAJO DE ESTA LÍNEA)			
<b>VS</b> A:	O: _____ Ht: _____ Wt: _____ Temp _____ B/P _____ P _____ R _____ O2 sat _____		
<b>P:</b>	OTC Referral Indication: _____ Commissary _____ Indigent _____ Referral to Physician _____ Y _____ N _____ Referral to PCPT: Same Day _____ 1-3 Days _____ 4-7 Days _____ 2 Weeks _____ Additional Comments: _____		
<b>CALLOUT</b>	DATE _____ TIME _____ Staff Signature and Stamp/Print _____		
HOSPITAL OR MEDICAL FACILITY USP/SCP MARION		STATUS N/A	DEPART. SERVICE DOJ
SPONSOR'S NAME N/A		SSN/ID NO N/A	RELATIONSHIP TO SPONSOR N/A
PATIENT IDENTIFICATION: (if not typed or written entries, give Name, last first middle ID No or FSN, DOB, (date of birth, race, gender))		REGISTER NO	WARD NO

Reg. No: 39383-044

DOB: 02-12-1976

CHRONOLOGICAL RECORD OF MEDICAL CARE STANDARD FORM 500

*cc Personal file*

PREVIOUS EDITION IS USABLE  
AUTHORIZED FOR LOCAL REPRODUCTION

MEDICAL RECORD		CHRONOLOGICAL RECORD OF MEDICAL CARE	
DATE	SYMPTOMS, DIAGNOSIS, TREATMENT, TREATING ORGANIZATION (Sign each entry)		
DATE/TIME: (FECHA/HORA)	INMATE REQUEST FOR TRIAGE SERVICES (PETICIÓN DE PRESIDIARIO DE SERVICIOS AUXILIOS)		
July 23, 2013 s. submitter on 7 A.M. preparation July 22)	What is your chief complaint? <i>chest pain, arm, jaw, difficulty breathing</i> (¿Cual es su queja principal?) <b>WHY DO I KEEP DOING THIS SHIT</b>		
	Length of chief complaint Days (Días)	Months (Meses)	Years
	(Años):	<i>Seven</i>	
	Name (Nombre) <i>A. Bathian</i>	Reg # (Registro)	<i>32383-044</i>
PAIN SCALE: (Escala de Dolor)	(0= Little Pain, 10= Severe Pain) 0 1 2 3 4 5 6 <b>7</b> 8 9 10 (0= Poco Dolor, 10= Severo Dolor)		
	Current Medications: <i>Prozac, Busparone</i> (Medicaciones actuales)		
	Are you in any Chronic Care Clinics <b>Y</b> (si) N(no)		
	Signature <i>[Signature]</i>		FIRMA
	(¿Está usted en alguna clinica de cuidado crónica?)		
*****DO NOT WRITE BELOW THIS LINE***** (NO ESCRIBA DEBAJO DE ESTA LÍNEA)			
O:			
	Ht	Wt	
VS	Temp	B/P	P R O2 sat
A:			
P	OTC Referral Indication	Commissary	Indigent
	Referral to Physician	Y	N
	Referral to PCPT	Same Day	1-3 Days 4-7 Days 2 Weeks
	Additional Comments		
CALLOUT	DATE	TIME	Staff Signature and Stamp/Print
HOSPITAL OR MEDICAL FACILITY USP/SCP MARION		STATUS N/A	DEPART. SERVICE DOJ
SPONSOR'S NAME N/A		SSN/ID NO N/A	RELATIONSHIP TO SPONSOR N/A
PATIENT'S IDENTIFICATION (if typed or written entries give Name last, first, middle, ID No or SSN last) (if typed from back of card)		REGISTER NO	WARD NO

Reg. No: *32383-044*DOB: *Feb 22 - 1976**cc. Prisoner file*



PREVIOUS EDITIONS USABLE  
AUTHORIZED FOR LOCAL REPRODUCTION

MEDICAL RECORD		CHRONOLOGICAL RECORD OF MEDICAL CARE	
DATE	SYMPTOMS, DIAGNOSIS, TREATMENT, TREATING ORGANIZATION (Sign each entry)		
DATE/TIME: (FECHA/HORA)	INMATE REQUEST FOR TRIAGE SERVICES (PETICIÓN DE PRESIDARIO DE SERVICIOS AUXILIOS)		
Aug 6, 2013 s. admitted on FAM (Pripes on Aug 5)	What is your chief complaint? Pain in chest, arm, jaw, neck, unusual (¿Cual es su queja principal?) heart beat. <del>not</del> broken record!!		
	Length of chief complaint: Days (Días):	Months (Meses):	Years
	(Años)	Eight (8)	
	Name (Nombre) Alirca Bathtian	Reg # (Registro)	39383-044
PAIN SCALE: (Escala de Dolor)	(0= Little Pain, 10= Severe Pain) 0 1 2 3 4 5 6 7 8 9 10 (0= Poco Dolor, 10= Severo Dolor)		
I'm FILING BAG with the Warden! Can't sleep Pain is killing me	Current Medications: (Medicaciones actuales)	Prozac, 5-yr perone	
	Are you in any Chronic Care Clinics: Y(si) N(no)	IF IT'S Angina don't I need a doctor!!	
	Signature	FIRMA	
	(¿Está usted en alguna clinica de cuidado crónica?)		
	*****DO NOT WRITE BELOW THIS LINE***** (NO ESCRIBA DEBAJO DE ESTA LINEA)		
	Ht:	Wt:	
VS	Temp	B/P	P R O2 sat
A:			
P:	OTC Referral Indication:	Commissary	Indigent
	Referral to Physician:	Y	N
	Referral to PCPT:	Same Day	1-3 Days 4-7 Days 2 Weeks
	Additional Comments:		
CALLOUT	DATE	TIME	Staff Signature and Stamp/Print
HOSPITAL OR MEDICAL FACILITY: USP/SCP MARION	STATUS N/A	DEPART SERVICE DOJ	RECORDS MAINTAINED AT BUREAU OF PRISONS
SPONSOR'S NAME N/A	SSN/ID NO N/A	RELATIONSHIP TO SPONSOR N/A	
PATIENT'S IDENTIFICATION (For proper written entries, give Name, last, first, middle, ID No or SSN, Sex, Last of Birth, Rank/Grade)		REGISTER NO.	WARD NO.
Reg. No: 39383-044		CC: Inmate, Personal file	
DOB: 02-02-1976			



PREVIOUS EDITION IS USABLE  
AUTHORIZED FOR LOCAL REPRODUCTION

MEDICAL RECORD	CHRONOLOGICAL RECORD OF MEDICAL CARE
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DATE	SYMPTOMS, DIAGNOSIS, TREATMENT, TREATING ORGANIZATION (Sign each entry)
------	---

DATE/TIME: (FECHA/HORA)	INMATE REQUEST FOR TRIAGE SERVICES (PETICIÓN DE PRESIDARIO DE SERVICIOS AUXILIOS)
----------------------------	--

Aug 22 2013  
11:40 AM  
(perpet on Aug 21)

What is your chief complaint? *Wow!! Pain, Pain, chest, arm, neck heart issues.*  
(¿Cual es su queja principal?)

Length of chief complaint: Days (Dias) \_\_\_\_\_ Months (Meses) Eight (8) Years \_\_\_\_\_  
(Años)

Name (Nombre) A. Bakhtian Reg # (Registro) 39383-044

PAIN SCALE: (0= Little Pain, 10= Severe Pain) 0 1 2 3 4 5 6 7 8 9 10  
(Escala de Dolor) (0= Poco Dolor, 10= Severo Dolor)

Current Medications: Proton Pump Inhibitor  
(Medicaciones actuales)

Are you in any Chronic Care Clinics: Y (si) N (no)

Signature [Signature]  
(¿Está usted en alguna clinica de cuidado crónica?)

FIRMA

\*\*\*\*\*DO NOT WRITE BELOW THIS LINE\*\*\*\*\*  
(NO ESCRIBA DEBAJO DE ESTA LINEA)

O:

Ht: \_\_\_\_\_ Wt: \_\_\_\_\_

VS \_\_\_\_\_  
A: \_\_\_\_\_  
Temp \_\_\_\_\_ B/P \_\_\_\_\_ P \_\_\_\_\_ R \_\_\_\_\_ O2 sat \_\_\_\_\_

P:

OTC Referral Indication \_\_\_\_\_ Commissary \_\_\_\_\_ Indigent \_\_\_\_\_

Referral to Physician \_\_\_\_\_ Y \_\_\_\_\_ N \_\_\_\_\_

Referral to PCPT \_\_\_\_\_ Same Day \_\_\_\_\_ 1-3 Days \_\_\_\_\_ 4-7 Days \_\_\_\_\_ 2 Weeks \_\_\_\_\_

Additional Comments \_\_\_\_\_

CALLOUT

DATE \_\_\_\_\_ TIME \_\_\_\_\_

Staff Signature and Stamp/Print

HOSPITAL OR MEDICAL FACILITY  
USP/SCP MARION

STATUS  
N/A

DEPART SERVICE  
DOJ

RECORDS MAINTAINED AT  
BUREAU OF PRISONS

SPONSOR'S NAME  
N/A

SSN ID NO  
N/A

RELATIONSHIP TO SPONSOR  
N/A

PATIENT'S IDENTIFICATION (if typed or written entries give Name last, first, middle; ID No or SSN; Sex; Date of Birth; Race/Ethnicity)

REGISTER NO

WARD NO

Reg. No: 39383-044

DOB: 02/02/1976

*CC - Inmate's own file*

CHRONOLOGICAL RECORD OF MEDICAL CARE STANDARD FORM 600

It has enclosures.

Attachment A

**Administrative Remedy - Informal Resolution**  
**Marion, Illinois**

Inmate's Name A. Bakhtiari Reg. No. 39383044 Unit X Date Aug-9-13

NOTICE You are advised that prior to filing a Request for Administrative Remedy [BP-9], you MUST attempt to informally resolve your complaint through your counselor. Please follow the three (3) steps listed below.

1. State your specific complaint Particulars and Relief requested enclosed

2. State what efforts you have made to informally resolve your complaint  
please see the particulars enclosed.

3. State what resolution you request please see the particulars enclosed.

Inmate's Signature [Signature] Date 8-7-13

4. Correctional Counselor's Comments (Steps to Resolve)

Counselor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Unit Manager's Review \_\_\_\_\_ Date \_\_\_\_\_

	Received by Counselor from inmate	Attempted informal with inmate by Counselor	BP-9 given to inmate	BP-9 Delivered to Admin Remedy Clerk
Date				
Time				
Counselor				

TRULINCS 39383044 - BAKHTIARI, ALIEZA - Unit: MAR-X-A

---

FROM: 39383044  
TO: Health Services  
SUBJECT: \*\*\*Request to Staff\*\*\* BAKHTIARI, ALIEZA, Reg# 39383044, MAR-X-A  
DATE: 08/09/2013 11:17:40 AM

To: URGENT HEALTH CARE NEED  
Inmate Work Assignment: Education PM

Mr. Winklemier, Health Care Administrator:  
Ms. Bagwell, Health Care Admin Assistant:

This is an enclosure to a BP8 grievance request which I file with your office. Copies of this BP8 are filed with warden Walton, my own home office, The Offices of Yantra Litigation Services and The Law Offices of Marshall R. Hoekel esq.

I invoke 18 USC 4042, the Duty of Care Laws of the State of Illinois and the inmate health care program statements of BOP to compel you to care. Numerous times, I have brought to your attention in person, via cop-out sheets and sick call slips the following urgent concerns that I have:

- cardiovascular and cardiac health issues
- medication compatibility and interference
- I cannot sleep more than 3 or 4 hours per day, I need sleep medicine.

I am 37 years old and diet and exercise religiously every day. My life style has not affected or cured the above issues. In my visit with a PA I was told that I need to see a physician about these issues. My requests to see a physician are ignored by you. So far you have responded to my email correspondence by redundant denials.

You are to schedule an appointment with a physician for me as soon as possible.

Alireza Bakhtiari  
39383-044

cc: Warden Walton  
cc: Inmate's Home Office - St. Louis  
cc: The Offices of Yantra Litigation Services - St. Louis  
cc: The Law Offices of Marshall R. Hoekel - Webster Groves - Missouri

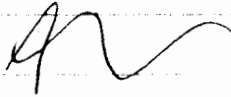
It has enclosures.

URGENT BP8 - Supplement  
Attachment AAdministrative Remedy - Informal Resolution  
Marion, IllinoisInmate's Name A. Bakhtian Reg. No. 39383-044 Unit X Date Aug 21, 2013NOTICE You are advised that prior to filing a Request for Administrative Remedy [BP-9], you MUST attempt to informally resolve your complaint through your counselor. Please follow the three (3) steps listed below.1 State your specific complaint Particulars and details enclosed.AID 8-21-13

2 State what efforts you have made to informally resolve your complaint

See enclosedAID 8-21-13

3 State what resolution you request

see the relief requested enclosed8-21-13Inmate's Signature: Date Aug-21-13

4 Correctional Counselor's Comments (Steps to Resolve)

Counselor's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Unit Manager's Review \_\_\_\_\_

Date: \_\_\_\_\_

	Received by Counselor from inmate	Attempted informal with inmate by Counselor	BP-9 given to inmate	BP-9 Delivered to Admin Remedy Clerk
Date				
Time				
Counselor				

TRULINCS 39383044 - BAKHTIARI, ALIEZA - Unit: MAR-X-A

---

FROM: 39383044

TO: Health Services

SUBJECT: \*\*\*Request to Staff\*\*\* BAKHTIARI, ALIEZA, Reg# 39383044, MAR-X-A

DATE: 08/21/2013 01:42:50 PM

To: URGENT - successive BP8

Inmate Work Assignment: Education PM

Dear Health Services Administrators,

This is a successive BP8, which I email you and submit on paper also. Warden is being copies as well.

I do not know why I keep submitting "Chronic Care Form 600" or "sick call" sign-ups while you have ignored all. I need to see a doctor pertaining to:

- cardiovascular/cardiac issues
- medication interference
- sleep deprivation

Schedule me ASAP with a doctor; you are to do so per program statements of BOP, including but not limited to PS 6005.

Alireza Bakhtiari

39383-044

CC: Warden J. Walton

CC: Mr. Winklmeier

CC: Inmate's Home Office and personal file